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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Box: Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231,

**PATENT**

on March 26, 2002

Atty. Docket No.  
DX01342

**COPY OF PAPERS  
ORIGINALLY FILED**

CN 028008

By: *LS Miller*  
Lois E. Miller



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re application of:

Bernhard HOMEY, et al.

Serial No.: 09/995,534

Filed: November 27, 2001

For: **USES OF MAMMALIAN GENES  
AND RELATED REAGENTS**

Examiner: not yet assigned

Art Unit: not yet assigned

RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION -  
FILING DATE GRANTED

Palo Alto, California 94304

March 26, 2002

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BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

10 Sir:

In response to the "Notice to File Missing Parts of Application - Filing Date Granted" mailed by the United States Patent and Trademark Office on December 26, 2001, enclosed are the following to be made of record in the above-identified application:

- 15
1. A request for a one-month extension of time to respond, extending the time for response from February 26, 2002, to March 26, 2002;
  2. Declaration and Power of Attorney signed (in counterpart) by inventors Bernhard Homey, Monica L. Zepeda and Albert Zlotnik in compliance with 37 CFR 1.63; and
  - 20 3. A copy of the "Notice to File Missing Parts of Application - Filing Date Granted."

Please charge the total of \$870.00, as calculated below, to DNAX Research Institute Deposit account no. 04-1239:

Fee for filing Missing Parts of Application		
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	19 - 20 =	0*
INDEP CLAIMS	3 - 3 =	0*
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED		
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.		

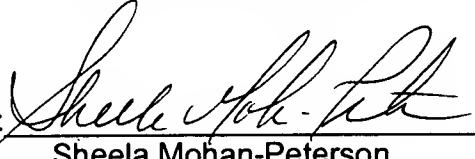
	\$130.00
RATE	FEE
	\$740.00
x18=	0.00
x84=	0.00
+260=	\$ 0.00
TOTAL	\$870.00

5 The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment to DNAX Research Institute Deposit Account No. 04-1239.

Please telephone the undersigned at (650) 496-6400, if there are any questions. This form is being submitted in duplicate.

Respectfully submitted,

10  
15 March 26, 2002

By:   
Sheela Mohan-Peterson  
Attorney for Applicants  
Reg. No. 41,201

20 DNAX Research Institute  
901 California Avenue  
Palo Alto, California, 94304-1104  
Tel. No. (650) 496-6400  
Fax No.: (650) 496-1200

25 Enclosures:

- 1) Request for a one-month extension of time (1 page, in duplicate)
- 2) Copy of this Transmittal (2 pages, in duplicate)
- 3) Signed Declaration and Power of Attorney (4 pages)
- 4) Copy of Notice to File Missing Parts
- 30 5) Return Postcard



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/995,534	11/27/2001	Berhard Homey	DX01342

028008  
DNAX RESEARCH INSTITUTE  
LEGAL DEPARTMENT  
901 CALIFORNIA AVENUE  
PALO ALTO, CA 94304

COPY OF PAPERS  
ORIGINALLY FILED

CONFIRMATION NO. 2027

## FORMALITIES LETTER



\*OC000000007228148\*

Date Mailed: 12/26/2001



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/05/2002 AOSMAN1 00000031 041239 09995534

02 FC:101 740.00 CH  
03 FC:105 130.00 CH